IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 11TH JUNE 2007 / 21ST JYAISHTA 1929

WP(C).No. 9558 of 2006(K)

AA.88/2005 of APPELLATE AUTHORITY (LR), ALAPPUZHA

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PETITIONER:

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1. SMT.ELIZABETH KURIAN, W/O.KURIAN,
   AGED 73, MANNULLY HOUSE,
   KADAVANTHRA.P.O.

2. SMT.MARYMOL, D/O.KURIAN,
   MANNULLY HOUSE, KADAVANTHRA.P.O,
   AGED 38 YEARS,
   (APPLICANT IN O.A.81/79 IN LAND TRIBUNAL,ERNAKULAM
   AND RESPONDENTS IN A.A.88/05 IN APPELLATE AUTHO-
   RITY (L.R), ALAPPUZHA).

BY ADV. SRI.R.RAGHUNANDANAN

RESPONDENTS:

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1. THE DEPUTY COLLECTOR,
   APPELLATE AUTHORITY (LR),
   ALAPPUZHA-1.

2. THOMAS, S/O.JOSEPH,
   MANNULLY HOUSE, CHILAVANNUR,
   KADAVANTHRA.P.O, KOCHI-682020.
   (APPELLANT IN A.A.88/05 IN APPELLATE AUTHORITY,
   ALAPPUZHA).

3. MARIYAMMA @ KUNJAY,
   W/O.CHACKO, MANNULLY HOUSE, KADAVANTHRA.P.O,
   (EXPIRED).

4. CHACKO GEORGE,
   MANNULLY HOUSE,
   KADAVANTHRA.P.O.

5. JACOB CHACKO,
S/O.KURIAN, MANNULLY HOUSE,
KADAVANTHRA.P.O,
(ADDL. APPLICANT NO.5, IN LAND TRIBUNAL,
ERNAKULAM).

6. RAJAMMA VARGHESE, W/O.P.C.VARGHESE,
PUNNACHALIL, KADAVANTHRA.P.O.

7. LAL VARGHESE,
S/O.P.C.VARGHESE, PUNNACHALIL,
KADAVANTHARA.P.O.

8. SUSANLAL VARGHESE,
D/O.P.C.VARGHESE, PUNNACHALIL,
KADAVANTHARA.P.O.

9. GOPAKUMAR, LEGAL REPRESENTATIVE OF
KUNJAN BAVA, THENAMTHARA HOUSE, KADAVANTHARA.P.O.

10. JOSEPH YOHANNAN,
S/O.YOHANNAN, MANNULLY HOUSE, KADAVANTHARA.P.O,
(NOT CONTESTING).

11. MANKUTTY THAMPURAN,
KOTTAKKAKAM, PALACE NO.9,
THRIPUNITHURA (DIED).

12. RAMAVARMA KOCHUNNI THAMPURAN,
KOTTAKKAKAM, PALACE NO.9,
THRIPUNITHURA (DIED).

13. SUNDARI THAMPURAN,
KOTTAKKAKAM, PALACE NO.9,
THRIPUNITHURA (DIED).

BY GOVERNMENT PLEADER SRI.GIKKU JACOB
SRI.THOMAS MANNULLY (PARTY-IN-PERSON)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 9558 of 2006(K)

APPENDIX

PETITIONERS' EXHIBITS

EXT.P1: TRUE COPY OF ORDER IN S.A.NO.75/82 DT.30.7.87 OF THIS COURT.

EXT.P2: TRUE COPY OF ORDER DT.31.1.2005 IN OA.NO.81/79 OF THE LAND TRIBUNAL, ERNAKULAM.

EXT.P3: TRUE COPY OF FINAL ORDER DT.30.6.05 IN OA.NO.81/79 BY THE LAND TRIBUNAL, ERNAKULAM.

EXT.P4: TRUE COPY OF PATTAYAM DT.7.9.05 ISSUED BY THE LAND TRIBUNAL, ERNAKULAM.

EXT.P5(a):TRUE COPY OF ORDER DT.12.7.05 OF THE PRL.MUNSIFF COURT, ERNAKULAM IN OS.440/74.

EXT.P5(b): TRUE COPY OF ORDER DT.12.7.05 OF PRL.MUNSIFF COURT, ERNAKULAM IN OS.NO.431/74.

EXT.P6: TRUE COPY OF ORDER IN IA.NO.7/06 IN A.A.NO.88/05 BY THE APPELLATE AUTHORITY (LR), ALAPPUZHA.

EXT.P7: TRUE COPY OF PETITION AND PETITION DATED 4.3.06 IN A.S.NO.88/05 FILED BEFORE THE APPELLATE AUTHORITY (LR), ALAPPUZHA.

/TRUE COPY/

P.A TO JUDGE

R.BASANT, J

W.P(C).No.9558 of 2006

Dated this the 11th day of June, 2007

JUDGMENT

There is no representation for the petitioners. The 2nd respondent has appeared in person. The learned Government Pleader is unable to explain to the Court whether the appeal has been disposed of. However, the 2nd respondent who appears in person submits before the Court that the appeal has already been disposed of by dismissal on 30.05.2007. Nothing further survives in the matter.

2. However, the 2nd respondent submits that there has been no proper disposal of the appeal. All remedies available under law for the 2nd respondent shall remain with him notwithstanding the directions issued on 29.03.2006 for an expeditious disposal. The direction was only to expeditiously dispose of the appeal and any grievance of the 2nd respondent against the judgment in the appeal can be taken up before appropriate authorities.

3. This petition is, in these circumstances, closed with the above observations.

(R.BASANT, JUDGE)

rtr/-